

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

PSEG Energy Resources & Trade, LLC
PSEG Power Connecticut LLC
NRG Power Marketing LLC
Connecticut Jet Power LLC
Devon Power LLC
Middleton Power LLC
Montville Power LLC
Norwalk Power LLC
Somerset Power LLC

Joint Complainants

v.

Docket No. EL10-57-000

ISO New England Inc.
New England Power Pool

Respondents

**NOTICE OF INTERVENTION OF THE
MASSACHUSETTS DEPARTMENT OF PUBLIC UTILITIES**

Pursuant to Rule 214(a)(2) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.214(a)(2), and the Commission’s April 5, 2010 Notice of Complaint by PSEG Energy Resources & Trade, LLC, PSEG Power Connecticut LLC, NRG Power Marketing LLC, Connecticut Jet Power LLC, Devon Power LLC, Middletown Power LLC, Montville Power LLC, Norwalk Power LLC, and Somerset Power LLC (Joint Complainants) against ISO New England Inc. and New England Power Pool (NEPOOL) (Respondents), the Department of Public Utilities of the Commonwealth of Massachusetts (“Mass DPU”) hereby files its Notice of Intervention in the above-captioned complaint. On February 22, 2010, ISO New England Inc. filed various revisions to the Forward Capacity Market (“FCM”) rules (ER10-787-000). In this complaint, the Joint Complainants allege that ISO New England Inc.’s current and proposed tariffs

governing the FCM are ineffective at preventing artificial price distortions due to, inter alia, the lack of proper zonal formation and that, as a consequence, the capacity prices arising out of these rules are not just and unreasonable.

I. COMMUNICATIONS

The Mass DPU requests that the individuals identified below be placed on the Commission's official service list in this proceeding and that all communications related to this filing and future filings in this proceeding should be directed to:

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II. INTERVENTION

The Mass DPU is the agency of the Commonwealth of Massachusetts charged with general regulatory supervision over gas and electric companies in Massachusetts and has jurisdiction to regulate rates or charges for the sale of electric energy and natural gas to consumers. Massachusetts General Laws c. 164, § 76 et seq. Therefore, the Mass DPU is a "state commission" as defined by 16 U.S.C. § 796(15) and 18 C.F.R. § 1.101(k). This notice of intervention has been filed within the period established under Rule 210(b). Accordingly, the Mass DPU hereby intervenes in this proceeding pursuant to Rule 214(a)(2).

III. CONCLUSION

WHEREFORE, for the foregoing reasons, the Mass DPU hereby files this Notice of Intervention and respectfully requests that the Commission recognize the Mass DPU as an intervener in this proceeding, with all rights attendant thereto.

Respectfully submitted,

MASSACHUSETTS DEPARTMENT OF
PUBLIC UTILITIES

By its attorney,

/s/Thomas E. Bessette

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Date: April 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document upon each party on the official service list compiled by the Secretary in this proceeding in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure. 18 C.F.R. § 385.2010.

Dated at Boston, Massachusetts, this twenty-first day of April, 2010.

/s/ Thomas E. Bessette
Thomas E. Bessette